

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ICU MEDICAL, INC.,

Plaintiff,

v.

B. BRAUN MEDICAL INC.

Defendant.

Civil Action No. CV 01-3202 CRB/MEJ

[PROPOSED] ORDER

IT IS HEREBY ORDERED that Defendant B. Braun Medical Inc.'s Administrative Request is GRANTED. The Clerk of Court shall file under seal (1) the confidential version of Braun's Motion and Memorandum in Support Thereof for Summary Judgment that Plaintiff ICU Medical, Inc. is Not Entitled to Lost Profit Damages; (2) the confidential version of the Declaration of Kenneth Raines in Support of Braun's Motion for Summary Judgment that Plaintiff ICU Medical, Inc. is Not Entitled to Lost Profit Damages, and Exhibit A thereto; (3) attached excerpts from the 12/9/04 Deposition of Gregory S. Jones, attached as Exhibit Q to the Declaration of John Battaglia in Support of Braun's Motion for Summary Judgment that Plaintiff ICU Medical, Inc. is Not Entitled to Lost Profit Damages; and (4) the confidential version of Braun's Motion and Memorandum for Invalidity of the '204 Patent Claims Based on 35 U.S.C. § 112 ¶ 1.

This ____ day of _____, 2005.

Hon. Charles R. Breyer
United States District Judge